

DEC 14 2017

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

|                          |   |                                     |
|--------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA | ) | Criminal Action No. 7:15CR00010-01  |
|                          | ) | (Civil Action No. 7:17CV81234)      |
| v.                       | ) |                                     |
|                          | ) | <b><u>FINAL ORDER</u></b>           |
| DWAYNE D. BAILEY,        | ) |                                     |
|                          | ) | By: Hon. Glen E. Conrad             |
| Defendant.               | ) | Senior United States District Judge |

For the reasons stated in the accompanying memorandum opinion, it is now

**ORDERED**

as follows:

1. The government's motion to dismiss (Docket No. 44) is **GRANTED**;
2. The defendant's motion to vacate, set aside, or correct her sentence under 28 U.S.C. § 2255 (Docket No. 35) is **DENIED**;
3. This action shall be **STRICKEN** from the active docket of the court; and
4. Finding that the defendant has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the defendant and all counsel of record.

DATED: This 14<sup>th</sup> day of December, 2017.

  
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Senior United States District Judge